



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtwpnj.com>

Meeting: 05/20/19 07:00 PM

19-24

2019 ORDINANCE AMENDMENT

ORDINANCE OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY AUTHORIZING THAT CERTAIN DECLARATION OF EASEMENTS ON A PORTION OF BLOCK 227, LOT 12 FOR THE ROYAL THEATRE REDEVELOPMENT PROJECT BEING UNDERTAKEN BY ROYAL URBAN RENEWAL, LLC

WHEREAS, by resolution duly adopted on December 18, 2000, the Township Council of the Township of Bloomfield (the "**Township Council**") designated a portion of the Township, consisting of the properties then identified as Block 220, Lot 40, Block 225, Lots 1 and 9, Block 227, Lots 1, 3, 5, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 19, 20, 22, 24, 26, 30, 31, 32 and 35, Block 228, Lots 1, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 21, 24, 27, 28, 29, 30, 31, 33 and 35, and Block 243, Lots 1, 3, 4, 5, 6, 7, 8, 10, 11, 13, 15, 17, 18 and 20 on the Township's tax map (collectively, the "**Redevelopment Area**"), as an area in need of redevelopment pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "**Redevelopment Law**"); and

WHEREAS, by ordinance finally adopted on December 15, 2008, the Township Council approved and adopted a redevelopment plan, as amended by ordinance adopted on November 21, 2011 and further amended by ordinance adopted on April 29, 2019, approving and adopting a Redevelopment Plan, entitled "Bloomfield Center Redevelopment Plan - Phase I" for the Redevelopment Area (and as may be amended from time to time, collectively, the "**Redevelopment Plan**"); and

WHEREAS, the Township Council duly adopted Resolution No. 7190 on August 20, 2018, and Resolution No. ___ on May 20, 2019, which collectively designated Royal Urban Renewal, LLC ("**Redeveloper**") as redeveloper of a portion of the Redevelopment Area known

as Block 227, Lots 1, 12, 24, 26, 30, 31, 32, and 35 on the Township's tax map (the "**Project Site**"), subject to the successful negotiation of a redevelopment agreement; and

WHEREAS, the Township Council duly adopted Resolution No. 7326 on October 15, 2018, authorizing the execution of that certain "Redevelopment Agreement", by and between the Township and Redeveloper (the "**Original Redevelopment Agreement**"), as amended by that certain First Amendment to Redevelopment Agreement, dated May 20, 2019 (the "**First Amendment**"), and together with the Original Redevelopment Agreement, the "**Redevelopment Agreement**"); and

WHEREAS, pursuant to the terms of the Redevelopment Agreement, Redeveloper proposed to redevelop the Project Site (as defined in the Redevelopment Agreement) by constructing thereon a mixed use project consisting of: (i) a parking garage with approximately 304 parking spaces (the "**Parking Garage**"), (ii) approximately 211 residential units (the "**Residential Component**"), (iii) approximately 14 residential townhome units (the "**Townhome Component**"), and (iv) approximately 8,700 square feet of retail space (the "**Retail Component**") (collectively the "**Redevelopment Project**" or the "**Project**"); and

WHEREAS, the Township has determined to establish permanent access, utility, loading, air rights and maintenance easements over a portion of Block 227, Lot 12 (the "**Lot 12 Easement Area**") (collectively, the "**Easements**," as more particularly described on Exhibit A attached to the from Easement Agreement annexed hereto as **Exhibit A**) for the benefit of the Residential Component, the Townhome Component and the Retail Component (collectively, the "**Private Project**"), and to facilitate the Redevelopment Project, on the terms and conditions described in the Easement Agreement attached hereto as Exhibit A; and

WHEREAS, pursuant to the Redevelopment Law, the Township may convey property or improvements to any other party without public bidding and at such prices and upon such terms

as it deems reasonable, provided such conveyance is made in conjunction with a redevelopment plan (N.J.S.A. 40A:12A-8.g.); and

WHEREAS, the Township is desirous of conveying the Easements to the Redeveloper in order to effectuate the Redevelopment Project by authorizing the Declaration of Easements.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BLOOMFIELD, COUNTY OF ESSEX AND STATE OF NEW JERSEY AS FOLLOWS:

Section 1. The forgoing recitals are incorporated herein as though specifically set forth herein below.

Section 2. The Township Council finds that it is in the best interest of the Township and the Redevelopment Area that the Easements be conveyed to the Redeveloper.

Section 3. The Township Council hereby authorizes the Mayor and/or his designee to execute and deliver the Declaration of Easements in substantially the same form annexed hereto as **Exhibit A** with any modifications to be approved by the Township Attorney.

Section 4. The Mayor and/or his designee is hereby authorized to amend or execute any other agreements or documents necessary to effectuate the purpose of this Ordinance subject to consultation with and approval by the Township Attorney.

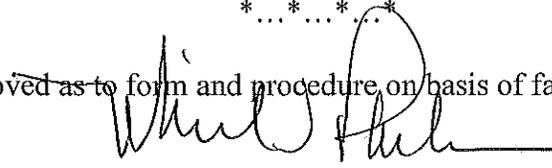
Section 5. The Township Clerk is directed to publish notice of this Ordinance in accordance with law.

Section 6. If any part(s) of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts hereof.

Section 7. This Ordinance shall take effect in accordance with law following final passage.

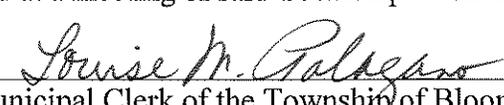
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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on **JUNE 24, 2019**



Municipal Clerk of the Township of Bloomfield

Me Via

Mayor of the Township of Bloomfield

| ✓ Vote Record - Ordinance | | | | | |
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| <input type="checkbox"/> Adopt <input type="checkbox"/> Deny <input type="checkbox"/> Withdrawn <input type="checkbox"/> Table <input type="checkbox"/> Not Discussed <input type="checkbox"/> First Reading <input type="checkbox"/> Table with no Vote <input type="checkbox"/> Approve <input type="checkbox"/> Veto by Mayor <input type="checkbox"/> Discussion <input type="checkbox"/> Defeated <input type="checkbox"/> Discussion No Vote | | Yes/Aye | No/Nay | Abstain | Absent |
| | Jenny Mundell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Nicholas Joanow | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Sarah Cruz | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Wartyna Davis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Ted Gamble | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Richard Rockwell | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Michael J. Venezia | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| ✓ Vote Record - Ordinance | | | | | |
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